

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

James Davis,)	
)	
Plaintiff,)	
)	06 C 3273
v.)	
)	
World Credit Fund I, LLC and)	Judge Bucklo
Blatt, Hasenmiller, Leibsker)	
& Moore, LLC,)	
)	
Defendants.)	

**Plaintiff's Motion to Dismiss With Prejudice
and Without Fees or Costs to Any Party**

Plaintiff James Davis asks the Court to enter an order dismissing the case with prejudice and without costs or fees to any party.

1. The Court granted summary judgment to defendants on Counts II through VI. The only remaining claim in the case is Count I of the Second Amended Complaint - Defendants' violation of 1692g of the Fair Debt Collection Practices Act.

2. A pretrial conference is set for March 13, 2009 at 3:30 p.m. with a trial date of March 30, 2009.

3. Without regard to the merits of Plaintiff's 1692g claim or the merits of Defendants' affirmative defenses, given the Court's ruling on the other claims, it is economically appropriate to dismiss case with prejudice and without costs and fees to any party.

4. Defendant World Credit Fund has agreed to a dismissal of the case with prejudice and without fees or costs to any party.

5. Defendant Blatt Hasenmiller has agreed to a dismissal with prejudice without fees to any party. Plaintiff and Blatt dispute whether Blatt is entitled to costs.

6. Because the Court's ruling on Counts II through VI was entered more than 30 days ago, Blatt waived any right it had to seek costs. See Local Rule 54.1

WHEREFORE, Plaintiff asks the court to enter an order:

- (i) Dismissing the case with prejudice and without costs or fees to any party;
- (ii) Striking the pretrial conference date and trial date;
- (iii) Granting Plaintiff any other relief the Court deems appropriate.

/s Tony Kim
One of Plaintiff's Attorneys

Dated: March 9, 2009

James Shedden
Tony Kim
SCHAD, DIAMOND & SHEDDEN, PC
332 South Michigan Avenue
Suite 1000
Chicago, Illinois 60604-4398
Tel: (312) 939-6280
Fax: (312)939-4661

Attorneys for Plaintiff